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10/755,830	01/12/2004	Craig William Fellenstein	AUS920030617US1	9828

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EXAMINER

NGUYEN, QUYNH H

ART UNIT PAPER NUMBER

2642

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/755,830

Applicant(s)

FELLENSTEIN ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/12/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4, 8, 10-14, 17, and 19-20, repeatedly recite the limitation "the telephone meeting", and "the meeting". There is insufficient antecedent basis for these limitations in the claims.

Claims 1-2 and 12-13 recite the limitation "the host". There is insufficient antecedent basis for this limitation in the claims.

Claims 1, 11-12, and 20, repeatedly recite the limitation "the activities". There is insufficient antecedent basis for these limitations in the claims.

Claims 2 and 13, recite the limitation "the alternative means". There is insufficient antecedent basis for these limitations in the claims.

Claim 4, recite the limitations "the telephone meeting information", "the time", "the date", "the number of participants". There is insufficient antecedent basis for these limitations in the claims.

Claims 9-10 and 18-19, repeatedly recite the limitation "the call attempt", "the previous call attempt", and "the initial call attempt". There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 103

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 7-8, 11-12, 14, 16-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (Pub. No: US 2044/0141605) in view of Elliott et al. (U.S. 6,754,181).

As to claim 1, Chen et al. teach a method for managing the activities of a teleconference meeting (page 1, [0005]) comprising the steps of:

notifying potential participants of a teleconference meeting (page 1, [0007], lines 6-8);

creating a profile of potential teleconference meeting participants (page 2, [0019], lines 7-10);

initiating a connection attempt with each participant at the host and establishing a connection with each participant prior to the beginning of the teleconference meeting (page 2, [0016], lines 21-24 and [0019], lines 14-18).

Chen et al. do not teach monitoring activities occurring during the teleconference meeting; and generating a report of the activities that occurred during the teleconference meeting at the end of the meeting.

Elliott et al. teach monitoring activities occurring during the teleconference meeting; and recording any video call (col. 132, lines 14-15). Elliott et al. do not explicitly teach generating a report of the conference activities.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of monitoring activities occurring during the teleconference meeting, as taught by Elliott, in Chen's system thus making the system more convenient and efficient by offering assistance to or responding to inquiries from teleconference callers during the call, as taught by Elliott (col. 132, lines 16-18); and detecting when a teleconference participant disconnects and generating a report or billing report.

What Chen et al. and Elliott et al. do not teach is generating a report of the teleconference activities. However, generating reports is extremely old and well known in the telecommunications arts. Reports are generated for reasons ranging from mere statistical gathering motives to information gathering in an effort to provide a more convenient or efficient system. In other words, information is collected so that the system and system designers can learn from the activities and adjust the teleconference system accordingly.

As to claims 3 and 14, Chen et al. teach the step of determining which participants have confirmed availability for the meeting (page 1, [0007], lines 9-11).

As to claims 7 and 16, Chen et al. do not teach building a list of confirmed participants.

Elliott et al. teach building a list of conference participants (Fig. 110 and col. 169, lines 37-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of building a list of confirmed participants,

as taught by Elliott, in Chen's system thus making the system more efficient by allowing the host and other teleconference participants to easily monitor activities during teleconference call using the list of participants, detecting when a teleconference participant disconnects, and generating a report or billing report.

As to claim 8, Chen et al. teach monitoring confirmed participant list for changes to the gathered alternative contact information of the participant or the participant's availability for the meeting (page 2, [0019] - *where Chen discussed during the execution of a conference call, scheduling element 50 receives various inputs such as reach number list, etc., hence changes to alternative contact information and availability*).

As to claim 11, Chen et al. do not teach simultaneously with the monitoring step, the step of recording the activities of the meeting.

Elliott et al. teach simultaneously with the monitoring step, the step of recording the activities of the meeting (col. 132, lines 14-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of recording the activities of the meeting simultaneously with the monitoring, as taught by Elliott, in Chen's system thus making the system more convenient and efficient by allowing to play back teleconference call recorded earlier wherever need, as taught by Elliott (col. 132, lines 15-16).

As to claim 12, the limitation of the claim is the same as the limitation of claim 1; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 1 above. Furthermore, Chen et al. teach a computer program product in a computer readable medium comprising instructions for use in managing the activities of a

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teleconference meeting (Fig. 1, and page 1, [0006], [007], and [0010] - *where Chen discussed a participant communicate with both network controlling server and web server for teleconference call, using web server and database to send messages to the network controlling server, the scheduler and notification servers utilized in conjunction with the web server to set up a conference call, hence a computer program product in a computer readable medium comprising instructions for use in managing the activities of a teleconference meeting*).

As to claim 17, the limitation of the claim is the same as the limitation of claim 8; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 8 above. Furthermore, Chen et al. teach computer program product comprising instructions to perform steps recited in claim 8 (Fig. 1 and page 1, [0007] and page 2, [0019]).

As to claim 20, the limitation of the claim is the same as the limitation of claim 11; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 11 above. Furthermore, Elliott et al. teach computer program product comprising instructions to perform steps recited in claim 20 (Fig. 97 and col. 133, line 47 through col. 134, line 49).

5. Claims 2, 4-6, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (Pub. No: US 2044/0141605) in view of Elliott et al. (U.S. 6,754,181) and further in view of Wu (U.S. Patent 6,275,575).

As to claim 2, Chen et al. and Elliott et al. do not teach the step of gathering information about the alternative means for contacting the participant; and placing this information in a storage location for access as needed by the host of the teleconference meeting.

Wu teaches gathering information about the alternative means for contacting the participant (Fig. 6); and placing this information in a storage location (*coordinating server device*) for access as needed by the host (*coordinator*) of the teleconference meeting (col. 9, lines 60-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of gathering information about the alternative means for contacting the participant; and placing this information in a storage location for access as needed by the host of the teleconference meeting, as taught by Wu, in Chen and Elliott's systems thus making the system more efficient by locating participants at alternate telephone numbers in the event the participants are not available at the primary contact number.

As to claim 4, Chen et al. teach telephone meeting information comprises time of the meeting, date of the meeting (page 2, [0019], lines 7-9) and numbers of participants attending the meeting (page 2, [0019], lines 9-10 - *where Chen discussed receiving inputs from web server participant name, hence one can easily count the participants to obtain the numbers of participants attending the meeting*).

As to claim 5, Chen et al. and Elliott et al. do not teach sending each confirming participant a request for alternative contact information.

Wu teaches for each confirming participant (*selected participant*) with associated confirming contact information, subscribers may be granted limited access to the dedicated storage areas assigned to other subscribers (col. 7, lines 54-59). What Wu does not teach is sending each confirming participant a request for alternative contact information.

It would have been obvious to one of ordinary skill in the art at the time the invention was made the feature of sending each confirming participant a request for alternative contact information in Chen's system thus making the system more efficient by locating participants at alternate telephone numbers in the event the participants are not available at the primary contact number.

As to claim 6, Chen et al. and Elliott et al. do not teach contact information includes a priority list of alternative contact means of the participant.

Wu teaches contact information includes a priority list of alternative contact means of the participant (Fig. 6 and col. 9, lines 60-65 - *where Wu discussed participant's preferred contact information for specified time periods, for example in Fig. 6, contact first alternate number between 1:30PM - 4:00PM and second alternate number between 6:30PM - 7:00PM, hence priority list of alternative contact means*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of contact information includes a priority list of alternative contact means of the participant, as taught by Wu, in Chen and Elliott's systems thus making the system more efficient by quickly locating participants at

alternate telephone numbers according to the priority list of alternative contact in the event the participants are not available at the primary contact number.

As to claim 13, the limitation of the claim is the same as the limitation of claim 2; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 2 above. Furthermore, Wu teach computer program product comprising instructions to perform steps recited in claim 13 (col. 9, lines 60-65).

As to claim 15, the limitation of the claim is the same as the limitation of claim 5; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 5 above. Furthermore, Wu teach computer program product comprising instructions to perform steps recited in claim 15 (col. 7, lines 48-65).

6. Claims 9-10 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (Pub. No: US 2044/0141605) in view of Elliott et al. (U.S. 6,754,181) and further in view of Malik (U.S. Patent 6,801,610).

As to claim 9, Chen et al. and Elliott et al. do not teach determining whether a successful connection was established with a participant during call attempt; and initiating the call attempt to alternate contact device for that participant when previous call attempt to establish a connection was unsuccessful.

Malik teaches determining whether a successful connection was established (col. 6, line 4 - *where Malik discussed a participant answered the call, hence successful connection was establish*) with a participant during call attempt (Fig. 2, 208 and 210); and initiating the call attempt to alternate contact device for that participant when

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previous call attempt to establish a connection was unsuccessful (Fig. 2, 208 and 221 and col. 5. lines 62-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of determining whether a successful connection was established with a participant during call attempt; and initiating the call attempt to alternate contact device for that participant when previous call attempt to establish a connection was unsuccessful, as taught by Malik, in Chen and Elliott's systems thus making the system more efficient by locating participants at alternate telephone numbers in the event the participants are not available at the primary contact number.

As to claim 10, Chen et al. and Elliott et al. do not teach determining whether a successful connection was established with a participant during initial call attempt; authenticating the participant identification when the connection attempt was successful; capture acknowledgements from connected participants; and playing back the captured acknowledgements at the start of the meeting.

Malik teaches determining whether a successful connection was established (col. 6, line 4 - *where Malik discussed a participant answered the call, hence successful connection was establish*) with a participant during initial call attempt (Fig. 2, 208 and 210); authenticating the participant identification when the connection attempt was successful (col. 6, lines 5-7); capturing acknowledgements from connected participants (Abstract, line 17-19); and lastly the SCP 101 notifies the SN 82 as participants are

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added to the conference call (col. 6, lines 14-15). What Malik does not explicitly teach is playing back the captured acknowledgements at the start of the meeting.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of determining whether a successful connection was established with a participant during initial call attempt; authenticating the participant identification when the connection attempt was successful; and capture acknowledgements from connected participants, as taught by Malik, in Chen and Elliott's systems thus making the system more secure and ease by allowing conference call originators or hosts to authenticate participants as they receive the conference call, as taught by Malik (col. 1, lines 56-60).

What Chen, Elliott, and Malik do not teach is playing back the captured acknowledgements at the start of the meeting. However, playing back the captured acknowledgements at the start of the meeting is extremely well known and helpful before the meeting starts. For example, playing back the identification of the participant to introduce the participant as he or she joins the teleconference call to the other participants.

As to claim 18, the limitation of the claim is the same as the limitation of claim 9; therefore, the claim is interpreted and rejected for the same reasons as set forth in claim 9 above. Furthermore, Malik teaches computer program product comprising instructions to perform steps recited in claim 18 (col. 4, lines 8-28).

As to claim 19, the limitation of the claim is the same as the limitation of claim 10; therefore, the claim is interpreted and rejected for the same reasons as set forth in

claim 10 above. Furthermore, Malik teach computer program product comprising instructions to perform steps recited in claim 19 (col. 4, lines 8-28).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cannon et al. (U.S. Patent 6,269,159) teaches conferencing with a calling party.

Delaney et al. (U.S. Patent 6,061,440) teaches an intelligent switching system for voice and data including a whiteboard feature during a conference as well as text sub-conferencing.

Rogers et al. (U.S. Patent 5,946,386) teaches call management system with call control from user workstation computers including the ability to conference calls using a GUI environment on the workstation computers.

Dunn et al. teaches multimedia conferencing using parallel networks.

Ludwig et al. (U.S. Patent 5,758,079) teaches call control in video conferencing allowing acceptance and identification of participants in a new incoming call during an active teleconference.

Zwick (U.S. Patent 5,701,340) teaches ad-hoc conferencing method.

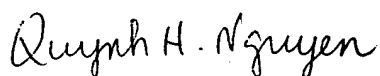
Bales et al. (U.S. Patent 5,373,549) teaches multi-level conference management and notification.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quynh H. Nguyen
Patent Examiner
Art Unit 2642